

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2  
3 In the Matter of

4 **GURCHARAN S. RANDHAWA, M.D.**

5 Holder of License No. 22036  
6 For the Practice of Allopathic Medicine  
In the State of Arizona.

Case No. MD-08-0331A

**CONSENT AGREEMENT FOR  
PRACTICE LIMITATION  
(Non-disciplinary)**

7  
8 **CONSENT AGREEMENT**

9 By mutual agreement and understanding, between the Arizona Board of Medical  
10 Examiners ("Board") and Gurcharan S. Randhawa, M.D. ("Respondent") the parties agree  
11 to the following disposition of this matter.

12 1. Respondent has read and understands this Consent Agreement and the  
13 stipulated Findings of Fact, Conclusions of Law and Order ("Consent Agreement").  
14 Respondent acknowledges that he understands he has the right to consult with legal  
15 counsel regarding this matter.

16 2. By entering into this Consent Agreement, Respondent voluntarily  
17 relinquishes any rights to a hearing or judicial review in state or federal court on the  
18 matters alleged, or to challenge this Consent Agreement in its entirety as issued by the  
19 Board, and waives any other cause of action related thereto or arising from said Consent  
20 Agreement.

21 3. This Consent Agreement will not become effective until signed by the  
22 Board's Executive Director.

23 4. The Board may adopt this Consent Agreement or any part thereof. This  
24 Consent Agreement, or any part thereof, may be considered in any future disciplinary  
25 action against Respondent.

1           5.     This Consent Agreement does not constitute a dismissal or resolution of  
2 other matters currently pending before the Board, if any, and does not constitute any  
3 waiver, express or implied, of the Board's statutory authority or jurisdiction regarding any  
4 other pending or future investigation, action or proceeding. The acceptance of this  
5 Consent Agreement does not preclude any other agency, subdivision or officer of this  
6 State from instituting other civil or criminal proceedings with respect to the conduct that is  
7 the subject of this Consent Agreement.

8           6.     All admissions made by Respondent are solely for final disposition of this  
9 matter and any subsequent related administrative proceedings or civil litigation involving  
10 the Board and Respondent. Therefore, said admissions by Respondent are not intended  
11 or made for any other use, such as in the context of another state or federal government  
12 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or  
13 any other state or federal court.

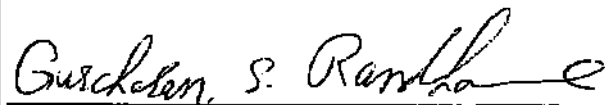
14          7.     Upon signing this agreement, and returning this document (or a copy  
15 thereof) to the Board's Executive Director, Respondent may not revoke the acceptance of  
16 the Consent Agreement. Respondent may not make any modifications to the document.  
17 Any modifications to this original document are ineffective and void unless mutually  
18 approved by the parties.

19          8.     If the Board does not adopt this Consent Agreement, Respondent will not  
20 assert as a defense that the Board's consideration of this Consent Agreement constitutes  
21 bias, prejudice, prejudgment or other similar defense.

22          9.     This Consent Agreement, once approved and signed, is a public record that  
23 will be publicly disseminated as a formal action of the Board and will be reported to the  
24 National Practitioner Data Bank and to the Arizona Medical Board's website.

1        10. If any part of the Consent Agreement is later declared void or otherwise  
2 unenforceable, the remainder of the Consent Agreement in its entirety shall remain in  
3 force and effect.

4        11. Any violation of this Consent Agreement constitutes unprofessional conduct  
5 and may result in disciplinary action. A.R.S. § § 32-1401(27)(r) ("[v]iolating a formal order,  
6 probation, consent agreement or stipulation issued or entered into by the board or its  
7 executive director under this chapter") and 32-1451.

8  
9 

10 GURCHARAN S. RANDHAWA, M.D.

Dated: 3/25/09

1 **FINDINGS OF FACT**

2 1. The Board is the duly constituted authority for the regulation and control of  
3 the practice of allopathic medicine in the State of Arizona.

4 2. Respondent is the holder of license number 22036 for the practice of  
5 allopathic medicine in the State of Arizona.

6 3. Respondent underwent an evaluation that demonstrated his cognitive  
7 functions were below expectations. On October 24, 2008, Respondent entered into an  
8 Interim Consent Agreement for Practice Limitation that prohibited him from practicing  
9 clinical medicine or any medicine involving direct patient care and from prescribing any  
10 form of treatment including prescription medication. Subsequently, Respondent admitted  
11 to the Board that he is no longer able to safely engage in the practice of medicine due to  
12 cognitive disabilities and has retired from the practice of medicine.

13 4. There has been no finding of unprofessional conduct against Respondent.

14 **CONCLUSIONS OF LAW**

15 1. The Board possesses jurisdiction over the subject matter hereof and over  
16 Respondent.

17 2. The Board possesses statutory authority to enter into a consent agreement  
18 with a physician to limit or restrict the doctor's practice or to rehabilitate the physician,  
19 protect the public and ensure the physician's ability to safely engage in the practice of  
20 medicine. A.R.S. § 32-1451(F).

21 **ORDER**

22 IT IS HEREBY ORDERED THAT:

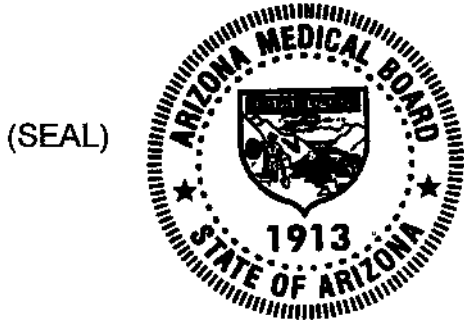
23 1. Respondent's practice is limited in that he shall not practice clinical medicine  
24 or any medicine involving direct patient care and is prohibited from prescribing any form of  
25 treatment including prescription medications until applying for and receiving Board

1 approval to do so. The Board may require any combination of Staff approved  
2 assessments, evaluations, treatments, examinations or interview it finds necessary to  
3 assist it in determining Respondent's ability to safely return to the active practice of  
4 medicine.

5 2. The Board retains jurisdiction and may initiate new action based on any  
6 violation of this order.

7 3. This Order is the final resolution of case number MD-08-0331A.

8 DATED AND EFFECTIVE this 25<sup>TH</sup> day of MARCH, 2009.



ARIZONA MEDICAL BOARD

12 By   
13 Lisa S. Wynn  
Executive Director

14 ORIGINAL of the foregoing filed this  
15 25<sup>th</sup> day of MARCH, 2009 with:

16 The Arizona Medical Board  
17 9545 East Doubletree Ranch Road  
Scottsdale, AZ 85258

18 EXECUTED COPY of the foregoing filed  
19 this 25<sup>th</sup> day of MARCH, 2009 with:

20 Gurcharan S. Randhawa, M.D.  
Address of Record

21  
22   
23 Investigational Review